

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

ABDUL-KHAALIQ S. RAHMAAN,)	
)	
Plaintiff,)	
)	
v.)	No. 1:22-cv-01545-JPH-KMB
)	
DANIELLE PRUITT,)	
SCOTT CHAPMAN,)	
MATHEW KELLY,)	
JARROD BRADBURY,)	
BRADLEY BURKHART,)	
)	
Defendants.)	

ORDER DIRECTING FURTHER ACTION

The Court screened Plaintiff Abdul-Khaaliq S. Rahmaan's amended complaint, dismissed it, and directed him to file a second amended complaint on or before June 8, 2023. Dkt. 30. The Court mailed its Order to Mr. Rahmaan at his last address of record, but the mailing was returned. Dkt. 36. In the meantime, Mr. Rahmaan filed four more complaints. Dkts. 31, 32, 33, 35. None of the complaints are identical—they all have slightly different defendants and allegations. And the fourth one, dkt. 35, suggests that Mr. Rahmaan is trying to add allegations to the complaints already submitted.


Normally, an amended complaint completely replaces any previously filed complaint. *See Beal v. Beller*, 847 F.3d 897, 901 (7th Cir. 2017) ("For pleading purposes, once an amended complaint is filed, the original complaint drops out of the picture."). Here, however, it does not appear that Mr. Rahmaan meant each successive complaint to be an amendment to the most recently filed

complaint. Instead, it appears that Mr. Rahmaan has attempted to set forth different aspects of his claims in different complaints. This is improper. As stated in the Screening Order, there must be a single complaint that "set[s] out every defendant, claim, and factual allegation Mr. Rahmaan wishes to pursue in this action." Dkt. 30 at 11. Accordingly, the Court will give Mr. Rahmaan another opportunity to file a second amended complaint that comports with the instructions given in the Screening Order. *See id.* at 11–12. Again, he must file a *single* second amended complaint that sets forth every defendant, claim, and factual allegation he wishes to pursue in this action. That second amended complaint must be filed on or before **July 17, 2023**. If Mr. Rahmaan fails to file another amended complaint, the Court will assume that he meant the most recently filed complaint—which is in the docket as Docket Number 35—to be the operative complaint in this action and screen that complaint under 28 U.S.C. § 1915(A)(b).

The **clerk is directed** to enclose copies of the following with Mr. Rahmaan's copy of this Order: (1) public docket sheet; (2) Screening Order and attachment, dkts. [30] and [30-1]; and (3) the most recently filed complaint, dkt. [35].

SO ORDERED.

Date: 6/20/2023


James Patrick Hanlon
United States District Judge
Southern District of Indiana

Distribution:

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